



ATTORNEY AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcom
Robert C. Millionig
Donald J. Featherstone
Timothy J. Shea, Jr.
Lawrence B. Bugaisky
Michael V. Messinger
Judith U. Kim

Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Eldora L. Ellison
Thomas C. Fiala
Albert L. Ferro
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Brian J. Del Buono
Virgil Lee Beaton
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhullier
Rae Lynn P. Guest

George S. Bardmesser
Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Aric W. Ledford
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon
Nicole D. Dretar
Ted J. Ebersole
Jyoti C. Iyer
Laura A. Vogel

Michael J. Mancuso
Bryan S. Wade
Aaron L. Schwartz
Michael G. Penn
Shannon A. Carroll
Wesley W. Jones
Matthew E. Kelley
Nicole R. Kramer

Registered Patent Agents*
Karen R. Markowitz
Nancy J. Leith
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford

Michelle K. Holoubek
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Christopher J. Walsh
Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey Mills

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
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*Practice Limited to Federal Agencies

April 22, 2005

WRITER'S DIRECT NUMBER:

(202) 772-8697

INTERNET ADDRESS:

TMULLER@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1642

Re: U.S. Utility Patent Application
Application No. 09/824,787; Filed: April 4, 2001
For: **Gene Differentially Expressed in Breast and Bladder Cancer, and
Encoded Polypeptides**
Inventors: ZAUDERER *et al.*
Our Ref: 1821.0040001/EKS/HCC/T-M

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement Filing Under 37 C.F.R. § 1.97(c);
2. Form PTO 1449 (1 page) listing one (1) cited document;
3. Copy of document AR29; and
4. One (1) return Postcard.

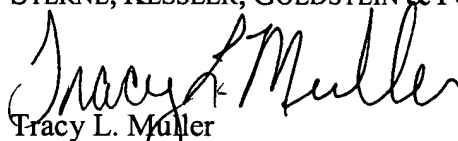
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
April 22, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

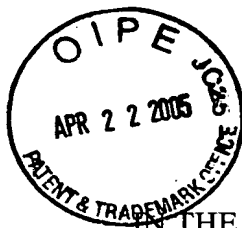
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Tracy L. Muller". The signature is fluid and cursive, with the first name "Tracy" and last name "Muller" clearly distinguishable.

Tracy L. Muller
Attorney for Applicants
Registration No. 55,472

T-M/bls
Enclosures

390420_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ZAUDERER *et al.*

Appl. No.: 09/824,787

Filed: April 4, 2001

For: **Gene Differentially Expressed in
Breast and Bladder Cancer, and
Encoded Polypeptides**

Confirmation No.: 2970

Art Unit: 1642

Examiner: Harris, Alana M.

Atty. Docket: 1821.0040001/EKS/HCC/T-M

**First Supplemental Information Disclosure Statement
Filing Under 37 C.F.R. § 1.97(c)**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on October 16, 2002, in connection with the above-captioned application. A copy of document **AR29** is submitted herewith.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

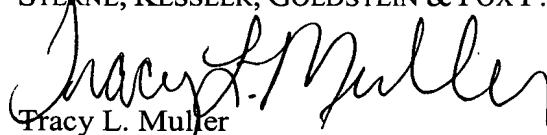
Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). No fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Tracy L. Muller
Attorney for Applicants
Registration No. 55,472

Date: April 22, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

FORM PTO-1449

APR 22 2005

ATTY. DOCKET NO.
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09/824,787FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTFIRST NAMED INVENTOR
ZAUDERER, MauriceFILING DATE
April 4, 2001ART UNIT
1642

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>29</u>	EMBL-EBI database, Accession No. AAG03153, Dumas Milne Edwards, J., <i>et al.</i> , Entry date October 6, 2000
	AS		
	AT		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.